

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEVIN O'CONNELL,
Plaintiff,

v.

KERN VALLEY STATE PRISON, et al.,
Defendants.

Nos. C 12-0208 JSW (PR)
C 12-0275 JSW (PR)

ORDER OF DISMISSAL

These two cases were opened, on January 12, 2012 and January 18, 2012, respectively, on the basis of two letters from Plaintiff to Judge Thelton Henderson. The letters inquired about the status of a complaint concerning the medical care Plaintiff is receiving at Kern Valley State Prison ("KVSP"). An attachment to Plaintiff's letter in Case No. CV-12-0208 JSW, indicates that his complaint against KVSP is pending in the United States District Court for the Eastern District of California, *O'Connell v. K.V.S.P.*, No. 1:11-cv-512. The Eastern District is the proper venue for claims against KVSP officials for events occurring there. *See* 28 U.S.C. § 84; 28 U.S.C. § 1391(b).

The Clerk interpreted Plaintiff's letters as attempts to file civil rights actions. However, it is clear from the letters that Plaintiff did not intend to file new civil rights actions; he simply wanted to find out about his case in the Eastern District of California and to be sure that that court received his complaint. Plaintiff should direct all inquiries

1 about his case to the Eastern District of California, not to Judge Henderson or to this
2 court. In addition, he should file any motions, pleadings or other documents pertaining
3 to his case or his medical care at K.V.S.P. in the Eastern District of California, not in this
4 court.

5 In light of the foregoing, these two cases are DISMISSED as having been
6 improvidently opened. The Clerk shall enter judgment and close the files. The
7 deficiency notices mailed by the Clerk to Plaintiff in both cases are VACATED. As it
8 appears that Plaintiff may need the copies of the documents he mailed to this court, his
9 letters and the attachments thereto are being returned to him.

10 IT IS SO ORDERED.

11 DATED: FEB 03 2012

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13 JEFFREY S. WHITE
14 United States District Judge
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

KEVIN P OCONNELL,
Plaintiff,

Case Number: CV12-00208 JSW
CV12-0275 JSW

v.

CERTIFICATE OF SERVICE

KERN VALLEY STATE PRISON, ET AL.,
Defendant.
_____ /

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on February 3, 2012, I SERVED a true and correct copy(ies) of the attached ORDER OF DISMISSAL, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Keven O'Connell K-89321
Kern Valley State Prison
C3-119
P.O. Box 5103
Delano, CA 93216

Dated: February 3, 2012

Richard W. Wieking, Clerk



By: Ada Means, Deputy Clerk